

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVEN MATZURA ET AL.,
Plaintiffs,

19-cv-10141 (JGK)

- against -

ORDER

SEVEN FOR ALL MANKIND, LLC,
Defendant.

JOHN G. KOELTL, District Judge:

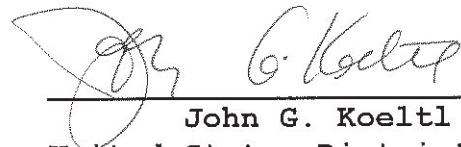
In light of the recent decision of the Court of Appeals for the Second Circuit, see Calcano v. Swarovski N. Am. Ltd., 36 F.4th 68 (2d Cir. 2022), the complaint is dismissed without prejudice for lack of subject matter jurisdiction. See, e.g., Mendez v. Victoria's Secret Stores, LLC, 19-cv-11435, ECF No. 19 (June 3, 2022); Calcano v. Tumi, Inc., 19-cv-9864, ECF No. 35 (June 7, 2022).

The plaintiff may file an amended complaint by August 11, 2022. The plaintiff should be aware of all of the cautions specified in the opinion of the Court of Appeals, as well as the additional requirements noted in the concurring opinion. The

plaintiff should be aware that discovery may be permitted with respect to the allegations of subject matter jurisdiction.

SO ORDERED.

Dated: New York, New York
June 17, 2022



John G. Koeltl
United States District Judge